

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO ex rel.
STATE ENGINEER,

Plaintiff,
vs. CIVIL NO. 69-7941 BB/LFG
ROMAN ARAGON, et al., RIO CHAMA ADJUDICATION
Defendants.

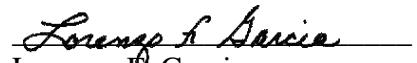
ORDER GRANTING MOTION TO WITHDRAW ANSWER

THIS MATTER is before the Court on Rancho Lobo, Ltd.’s Unopposed Stipulation to Dismiss Answer; [Proposed] Order. [Doc. 10913]. For the reasons stated below, the Court will GRANT the motion.

Ohkay Owingeh filed its Subproceeding Complaint in this case on April 30, 2007. [Doc. 8634]. Rancho Lobo, Ltd. filed its Answer to Ohkay Owingeh’s Subproceeding Complaint on June 1, 2007. [Doc. 8662]. Rancho Lobo now states that it “chooses not to contest the Pueblo’s claims in this subproceeding, and seeks to withdraw or dismiss its Answer.” [Doc. 10913]. “Ohkay Owingeh stipulates to the dismissal of the Answer.” [Doc. 10913].

“A party may withdraw a document from consideration by the Court by filing and serving a notice of withdrawal which specifically identifies the document being withdrawn.” D.N.M.LR-Civ. 7.7. “Withdrawal requires consent of all other parties or approval of the Court.” D.N.M.LR-Civ. 7.7. Because Rancho Lobo filed and served a notice of withdrawal specifically identifying that it wishes to withdraw its Answer [Doc. 8662], and because Ohkay Owingeh does not oppose said withdrawal, the Court will approve the withdrawal of Rancho Lobo’s Answer.

IT IS SO ORDERED.



Lorenzo F. Garcia
United States Magistrate Judge